

Docket No.: MASIMO.353A

April 20, 2005
Page 1 of 2Please Direct All Correspondence to Customer Number 20995**REQUEST FOR CONTINUED EXAMINATION**

Applicants : Gene Mason et al.
 App. No : 10/679,963
 Filed : October 6, 2003
 For : OPTICAL PROBE INCLUDING
 PREDETERMINED EMISSION
 WAVELENGTH BASED ON PATIENT
 TYPE
 Examiner : Matthew J. Kremer
 Art Unit : 3736

**CERTIFICATE OF FAX TRANSMISSION
PTO CENTRALIZED FAX**

I hereby certify that this correspondence
 and all marked attachments are being
 transmitted via facsimile to the USPTO
 centralized Fax No. (703) 872-9306 on the
 date shown below:

April 20, 2005

(Date)


John M. Grever, Reg. No. 42,610

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Enclosed is:

(X) the Amendment and Response to Final Office Action dated December 23, 2004 under 37 C.F.R. § 1.116 previously filed via facsimile on March 23, 2005 in 8 pages.

Fees:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
RCE Fee		1801 (\$790)		\$790
Suspension of Action		1463 (\$130)		\$0
Total Claims	12 - 20 = 0	1202 (\$50)	0 x 50 =	\$0
Independent Claims	3 - 3 = 0	1201 (\$200)	0 x 200 =	\$0
1 Month Extension		1251 (\$120)		\$120
			TOTAL FEE DUE	\$910

An extension of time is hereby requested by payment of the appropriate fee indicated above.

Docket No.: MASIMO.363A
App. No.: 10/679,963

April 20, 2005
Page 2 of 2

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Payment:

Charge \$910 to Deposit Account No. 11-1410.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16 and § 1.17 which may be required, now or in the future, or credit any overpayment to Deposit Account No. 11-1410.

Address all future communications to Customer No. 20,995.

Respectfully submitted,
KNOBBE MARTENS OLSON & BEAR LLP



John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995
(949) 760-0404

Dated: April 20, 2005

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